



**ZACHARY W. CARTER**  
*Corporation Counsel*

**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
100 CHURCH STREET, Rm. 3-155  
NEW YORK, NY 10007

**FRANK A. DELUCCIA**  
Assistant Corporation Counsel  
Phone: (212) 356-5054  
Fax: (212) 356-3559  
fdelucci@law.nyc.gov

January 7, 2019

**BY ECF**

Hon. Naomi R. Buchwald  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Raji Wilson v. City of New York, et al., 18-CV-08179 (NRB)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney assigned to the defense of the above-referenced matter. The parties jointly and respectfully request a 30-day extension of time, from January 9<sup>th</sup>, 2019 to February 6<sup>th</sup>, 2019, for defendants to answer, move or otherwise respond to the complaint. This is the first joint request for an extension and this extension does not affect any other scheduled dates in this matter. Defendant City has made two prior requests for an extension: the first request for an extension was granted on October 25<sup>th</sup>, 2018, and the second request for an extension was granted on December 7, 2018. *See* Docket Entry No. 19; Docket Entry No. 21.

The reason for the joint request for an extension of time is that it has recently come to defendant City's attention that the plaintiff has an active lawsuit pending in Queens County Supreme Court filed by a different law firm that arises from the same incident as the incident giving rise to the instant matter. Plaintiff's counsel has represented that he will be conferring imminently with his client to address the duplicative pending lawsuits. The requested enlargement will allow plaintiff's counsel the opportunity to address the multiple pending lawsuits and potentially amend the complaint in the instant matter accordingly, while also preventing unnecessary motion practice and wasting the resources of the parties and the Court.

In light of the above, the parties jointly request that the Court grant defendants a 30-day extension of time, from January 9<sup>th</sup>, 2019 to February 6<sup>th</sup>, 2019, to answer, move, or otherwise respond to the complaint. Additionally, defendant City would hope that the Court may, *sua sponte*, extend the time to answer on behalf of all defendants including Officer Carnes and Officer Smith.

The parties thank the Court for its time and consideration of the within request.

Respectfully submitted,

/s/

Frank A. DeLuccia  
Assistant Corporation Counsel

FAD/m

cc: Jonathan A. Fink, Esq. (by ECF)  
Brian L. Bromberg, Esq. (by ECF)